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REMARKS

The present amendment is in response to the Office Action mailed in the above-referenced case on May 09, 2007. Claims 18, 20, 22, 24 and 25 are standing for examination. Claims 18, 20, 22 and 24-25 are rejected under 35 U.S.C. 112, first paragraph. Claims 20 and 24-25 are rejected under 35 U.S.C. 112, second paragraph. The Examiner has rejected claims 18, 20, 22 and 24-25 under 35 U.S.C. 103(a) as being unpatentable over Takeda (USP 6876632) hereinafter Takeda in view of Barker (WO 98/10573) hereinafter Barker in view of Reimann (USP 5892764) hereinafter Reimann. Claims 18, 20, 22 and 24-25 are also rejected under 35 U.S.C. 103(a) as being unpatentable over Tonnby (USP 6320857) hereinafter Tonnby in view of Smyk (WO 98/56133) hereinafter Smyk and further in view of Reimann.

In response to the Examiner's rejections and statements, applicant herein amends the claims to specifically overcome the 112 rejections. Applicant presents detailed arguments to remove the art of Takeda and more particularly point out the limitations of applicant's claims not taught or suggested in the art presented by the Examiner.

Regarding the art of Takeda, the Examiner relies upon said art to read on the functions of applicant's claimed Internet call waiting system. Applicant points out to the Examiner that the present application is a Continuation-In-Part of co-pending patent application 08/948,530, filed 10/09/97, which is a divisional application of U.S. Patent 6,064,667 filed 9/12/97. The U.S. Patent 6,064,667 includes disclosure for the Internet call waiting system and has a priority date that is one full year prior to the priority date of Takeda. Therefore, applicant argues that the art of Takeda is not valid art and cannot be used to support a rejection of applicant's claims.

Regarding the remaining 103 rejection against applicant's independent claims the Examiner admits that Tonnby fails to teach "...wherein the user transfers calls by manipulating the individual icons and a user operating the internet appliance connect to the ISP for internet connection services a call forwarding service is automatically

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initiated causing the ISP to instruct the SCP to forward calls for the user to a specific number associated with ISP. In the same field of endeavor, Smyk discloses a software is executed on client terminal, SCP and ISP (Fig 1, client terminal, Ref 116, 118 and 180; ISP Ref 110 and 124 and SCP Ref 122) ISP server performing a call forward function by instructing SCP to route the incoming call to the client terminal to ITG routing number (Page 6, lines 2-21, Page 7, lines 6-14, Page 8, lines 17-19)."

Applicant argues that the art of Smyk fails to disclose *when* a user operating the Internet appliance connects to the ISP for Internet connection services a call forwarding service is automatically initiated causing the ISP to instruct the SCP to forward calls for the user to a specific number associated with the ISP.

Smyk discloses that the user registers (in one of several ways) with the ISP and/or the SCP that he may be communicating with the Internet on his phone line. Then, when a call is made for the user, the SCP will detect the user's line is busy and then ask the ISP what to do. In every variation, the SCP explicitly goes out to the ISP or to a separate process in the PSTN and asks "is this user communicating with the Internet on his phone line?" If yes, the answering service also passes a phone number to call, and the call is sent on and the user is alerted (see Smyk Fig. 2; page 6).

Applicant's invention, as claimed, discloses that when the user connects to the ISP, the ISP activates a call forwarding service *at that time*, providing *at that time* a number to the SCP to be dialed when someone calls for that user. There is no need for the SCP to check the phone status of the user, or to check with the ISP when a call is received for the user. For every call received for the user Smyk's SCP must determine whether the user is currently communicating with the Internet (or to find out what number to use). In applicant's invention the information is already provided and call forwarding is already activated *when the user connects his appliance to the Internet* so that all calls to that user will be forwarded to the number provided by the ISP automatically with no intermediate steps, and then the ISP can alert the user.

Applicant's method is an especially unique advantage over the art of Smyk, for example, if, after the registration step, data communications should be severed

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between the ISP and the SCP (or the separate process in the network), the Smyk invention will not work, because the SCP will not be able to determine if the user is communicating with the network or not, and because the SCP will not know what number to transfer/forward the call to. On the other hand, in applicant's invention the system would work just fine since call forwarding has already been activated and the number has already been provided to the SCP *in advance, when the user first starts their Internet session.*

Therefore, applicant argues that applicant's independent claims 18, 20, 22 and 24, as argued, are patentable over the valid art provided by the Examiner. Dependent claim 25 is patentable on its own merits, or at least as depended from a patentable claim.

Applicant respectfully requests the application be reconsidered and passed quickly to issue. If there are any time extensions due beyond any extension requested and paid with this amendment, such extensions are hereby requested. If there are any fees due beyond any fees paid with the present amendment, such fees are authorized to be deducted from deposit account 50-0534.

Respectfully Submitted,
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